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REMARKS

Claim 1 was rejected under 35 U.S.C. 112 as failing to point out and distinctly claim the invention. As suggested by the Examiner, claim 1 has been amended to change "The" to "A". This amendment is believed to overcome the rejection under 35 U.S.C. 112.

Claim 1 was further rejected under 35 U.S.C. 112 as being indefinite in the terms "sufficient to improve". The claim has been amended by deletion of the terms objected to and is now in a form analogous to that used in prior art such as the cited USP 6,042,698. As pointed out in the instant specification at page 2, first paragraph, the rate at which the organic carbonate is improved is dependent upon the rate at which ultra violet energy is provided, more rapid improvement being achieved at higher energy input.

It is believed that claim 1 is no longer subject to the rejection under 35 U.S.C. 112 and withdrawal of the rejection is requested.

As pointed out in the specification at page 2, last paragraph, generally irradiation times of at least 10 minutes are useful and new claim 4 has been added specifying an irradiation time of at least 10 minutes.

Withdrawal of the rejections under 35 U.S.C. 112 is respectfully requested as to the claims now presented.

The claims were rejected under 35 U.S.C. 103(a) as unpatentable over USP 5,962,699 and USP 6,042,698. Reconsideration is respectfully requested in light of the following discussion.

The references which have been relied on are each discussed at page 1 of the instant specification. USP 5,962,699 is especially relevant since it relates to the problem which is overcome by practice of the present invention. The reference deals with the decolorization of organic carbonates but suggests as a solution the use of hydrogen peroxide to accomplish organic carbonate decolorization. Nowhere in the teachings of USP 5,962,699 is there a suggestion of an ultraviolet treatment such as is claimed in the present case.

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In an attempt to remedy the defects of the above reference, the Examiner cites USP 6,042,698. However, this reference has nothing whatever to do with the treatment of organic carbonates but rather is concerned with the treatment of isophorone by ultraviolet radiation. Isophorone is a different chemical from organic carbonates. Isophorone (3,5,5 tri-methyl-2-cyclohexens-1-one) is made by different procedures and would be expected to have different impurities. It is respectfully contended that the skilled person would not be led to the present invention from a consideration of these references in the absence of the instant disclosure.

USP 5,962,699 which deals with the problem overcome by the present invention provides a method of treatment involving use of an extraneous chemical reagent which in and of itself introduces potential problems. The reference makes no reference to any ultraviolet treatment as is critical to the present invention.

USP 6,042,698 provides no teaching with respect to the treatment of organic carbonates. The isophorone treated by the reference is a far different compound than the organic carbonates treated by the invention or USP 5,962,699. Preparation procedures are different as are properties of the materials. A skilled person seeking a solution to the degradation problem of organic carbonates would not turn to the treatment of an entirely different material with the expectation of finding a solution to his problem. There is seen to be no linking teaching which, in the absence of the present disclosure, would lead the skilled person to apply isophorone treatment procedures to the treatment of organic carbonates.

It is respectfully submitted that applicants have made a significant advance in the art of carbonate color improvement which is not obvious from the prior art cited by the Examiner. The instant inventive process is not shown in the art, nor do the disparate cited references provide a teaching from which the claimed invention would be suggested or obvious to the skilled person.

Reconsideration of the rejection of the claims under 35 U.S.C. 103(a) as obvious from the art is requested.

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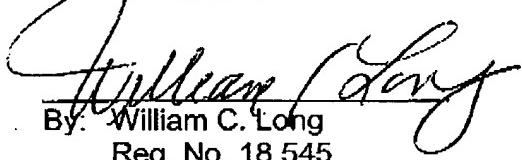
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The case now has four claims, one of which is independent. Accordingly, it is believed that no additional fees are owed at this time. Should this be incorrect, authorization is given to charge any additional fees owed to Deposit Account No. 12-2138.

Allowance of the case is requested.

Respectfully submitted,

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